

# Senate File 472 - Reprinted

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON LABOR AND  
BUSINESS RELATIONS

(SUCCESSOR TO SSB 1254)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act requiring the posting of close-clearance warning devices  
2 along railroad tracks and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 SF 472  
5 dea/cc/26

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1 1 Section 1. NEW SECTION. 327F.13 CLOSE=CLEARANCE WARNING  
1 2 DEVICES.  
1 3 1. The owner of a railroad track shall place a warning  
1 4 device at a location where the close clearance between the  
1 5 track and a building, machinery, trees, brush, or other object  
1 6 is such that the building, machinery, trees, brush, or other  
1 7 object physically impedes a person who is lawfully riding the  
1 8 side of a train in the course of the person's duties in  
1 9 service to a railroad company from clearing the building,  
1 10 machinery, trees, brush, or other object.  
1 11 2. The warning device shall be placed in a location which  
1 12 provides adequate notice to a person riding the side of a  
1 13 train so that the person may prepare for the close clearance.  
1 14 Any signs posted shall not be a danger to other persons  
1 15 working on the property.  
1 16 3. Placement of a warning device pursuant to this section  
1 17 does not relieve the owner of a railroad track from any duties  
1 18 required under chapter 317 or section 327F.27.  
1 19 4. A violation of this section is punishable as a schedule  
1 20 "one" penalty under section 327C.5.  
1 21 5. This section does not apply to a railroad that operates  
1 22 locomotives powered by overhead or suspended electric power  
1 23 lines.  
1 24 6. The department of transportation shall adopt rules to  
1 25 implement this section. Notwithstanding any other provision,  
1 26 the department of transportation shall be allowed to enter any  
1 27 property on which railroad track is located for the purpose of  
1 28 administering and enforcing this section. Entry upon any  
1 29 private property shall be with knowledge and notice to the  
1 30 property owner.